

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON MAY 2, 2005
(Approved May 16, 2005)
(Ratified June 18, 2005)

The Board of Supervisors held their regular monthly meeting on Monday, May 2, 2005. Present for the meeting were supervisors Robert Preston, David K. Leinbach, W. Atlee Rinehart, John Doering, Jr. and Timothy Roland. Also, in attendance were John A. Koury, Jr., Township Solicitor and Casey LaLonde, Township Manager and Brady Flaharty of ARRO Consulting, Inc. Mr. Preston called the meeting to order at 7:00 p.m. and the pledge was recited.

1. MINUTES

Minutes of April 4, 2005

Mr. Preston moved to approve minutes of the April 4, 2005 monthly meeting as presented. Mr. Doering seconded the motion. The motion carried unanimously.

2. PUBLIC COMMENTS

Mrs. Mary Ann Keen of Sanatoga has concerns of tires on Marvin Colona's property. Mr. Colona will be notified of such violation. If violation is not abated within 30 days the Board of Supervisors requested the Public Works Department collect the tires and the property owner will be charged for the disposal of the tires.

Mr. Walter Woessner of Schoolhouse Road noted there are grading issues at the Coventry Greene intersection. Mr. Preston stated the Township Engineer would have to investigate.

Mr. David Heim of Halteman Road asked when Ellis Woods Road would be completed and opened. It was noted work on this road would begin next week.

Mrs. Elaine Preston of East Cedarville Road distributed a letter to the Board of Supervisors and read aloud such letter that concerned stormwater issues. There was a brief discussion of the various stormwater issues in the township. Mr. Preston noted the current ordinances in place reduce the rate of stormwater run-off but not reduce the total quantity of run-off for new development but existing problems are not being corrected. Mr. Leinbach stated the problem is with development and the point of concentration and more flash floods are occurring. Mr. Leinbach stated the groundwater is not being recharged over a greater area and basins are being utilized. Mr. Leinbach noted that retention basins are being used instead of detention basins. Mr. Leinbach noted stormwater issues should be county-based.

Mr. Rinehart moved to attach to the minutes Mrs. Preston's letter dated May 2, 2005. Mr. Doering seconded the motion. The motion carried unanimously.

Mrs. Carol Tucci of Bethel Church Road read a letter regarding stormwater concerns. Mr. Rinehart moved to attach to the minutes Mrs. Tucci's letter dated May 2, 2005. Mr. Roland seconded the motion. The motion carried unanimously.

The Township Solicitor noted the stormwater issues could be a Harrisburg issue and require at \$400-500M bond. Mr. Preston suggested the township confer with North Coventry and the DRBC.

Mr. Walter Woessner noted the Cingular tower height and conditional use provisions called for the tower to be higher than what the Zoning Ordinance allows. Mr. Woessner noted the base of the tower has to be 120% away from any property line.

3. REPORTS

Reports from Various Departments and Committees

The reports from various departments and committees were reviewed.

There was a review of the Engineer's Report dated April 25, 2005. The Board of Supervisors responded to several action items requested by the Code Officer/Building Inspector.

Mr. Leinbach moved to have the Code Official repeal the civil complaint against Mr. Houston. Mr. Rinehart seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to set a firm, year-end deadline for the removal of the trailer at 461 Sanatoga Road. Mr. Doering seconded the motion. The motion carried unanimously.

Mr. Doering moved to not issue citations to 478 Harley Road regarding the drainpipe issue. Mr. Roland seconded the motion. The motion carried unanimously.

Mr. Preston moved to send the trailer issue at 87/93 Ebelhare Road to District Court. Mr. Rinehart seconded the motion. The motion carried unanimously.

Mr. Leinbach questioned why Tim Hansberry is building so many buildings and no land development or stormwater plans are being submitted. Mr. Leinbach moved to have the Building Inspector/Code Enforcement Officer check for a land development plan for this property and check if a building permit was issued. Mr. Doering seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to appeal the Riannon Walsh Zoning Hearing Board decision to Chester County Court and authorize the Township Solicitor to proceed once the written decision has been received and reviewed. Mr. Doering seconded the motion. The motion carried unanimously.

Fund Balances Report

Fund	Checking	Money Market	CDs	Total
General	\$10,992.16	\$363,582.41		\$374,574.57
Capital Reserve		\$1,004.72		\$1,004.72
Highway Aid	\$7,375.41	\$5,106.95		\$12,482.36
Sanitary Sewer	\$886.24	\$431.69		\$1,317.93
Phase I Sewer				

Escrow		\$75.55		\$75.55
Traffic Impact Fee Fund	\$1,000.00	\$38,026.51		\$39,026.51
Police Safety	\$1,920.10			\$1,920.10
TOTAL				\$430,401.74

Contexant Water Users Fund

\$9,684.67

4. SUBDIVISION AND LAND DEVELOPMENTS

Project: Blossom Meadows II

Applicant: All County Partnership

Mr. Doering moved to approve Escrow Release No. 3 for Blossom Meadows II in the amount of \$16,113.82. Mr. Roland seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 4 for Blossom Meadows II. Mr. Rinehart seconded the motion. The motion carried unanimously.

Project: Coventry Self Storage

Applicant: Ronald and Shirley Elliott

Mr. Glenn Kelczewski of Conver and Smith Engineering, Inc. was present.

Mr. Leinbach moved to deny waivers from Sections 702.8, 705.4 and 705.5 of the Subdivision and Land Development Ordinance. The applicant is required to offer for dedication the ultimate right-of-way along the Old Schuylkill Road. Mr. Roland seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to grant waivers from Sections 705.5 to allow no roadway improvements along the Old Schuylkill Road frontage for Lot #1 and Section 708.7 of the Subdivision and Land Development Ordinance; and a note must be added to the plan stating roadway improvements, including curbing and sidewalks, will be done if further subdivision occurs. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Parkerford Properties

Applicant: Richard Heylmun

Mr. Preston moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 1 for Parkerford Properties. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Ivywood Estates

Applicant: T.H. Properties

Mr. David Brewer of T.H. Properties was present. There was a discussion regarding T.H. Properties proposal dated April 22, 2005 offering a voluntary lump sum of \$125,000.

Mr. Leinbach stated he would support the recreational area relief and the mixed dwelling requirement but the only way he would support the township involvement with the sewer capacity issue is if 198 current residents are included. Mr. Doering suggested the access to the elementary school for recreation should be implemented into the plan. Mr. Leinbach suggested curbs and sidewalks be extended to the Creekview Subdivision. The Board of Supervisors as a whole agreed to all items listed in this paragraph.

Mr. Preston noted T.H. Properties must prepare a request for variance and the Board of Supervisors will provide a letter of support.

Project: Woodcrest Estates Applicant: Heritage Building Group

Mr. Leinbach moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 1 for Woodcrest Estates. Mr. Doering seconded the motion. The motion carried unanimously.

Project: Barndt Subdivision Applicant: Steven Barndt

The Board of Supervisors stated the township would take dedication of the ultimate right-of-way at the Barndt Subdivision.

Project: Creekview Applicant: Heritage Building Group

Mr. Leinbach move to approve the amended developer and financial agreements dated April 22, 2005. Mr. Roland seconded the motion. The motion carried unanimously.

Project: Coventry Glen Applicant: Heritage Building Group

Mr. Leinbach moved to authorize the Township Engineer to perform an inspection for Escrow Release No. 2 for Coventry Glen. Mr. Doering seconded the motion. The motion carried unanimously.

Mr. Preston noted a letter received regarding the Walley etal tract dated April 25, 2005. Mr. Leinbach moved to send the letter to Robert Lentz for opinion. Mr. Doering seconded the motion. Mr. Rinehart abstained due to his partial ownership of the Walley etal tract. The motion carried.

5. OTHER BUSINESS

2005 Road Projects

Mr. Leinbach moved to award the 2005 road project (Part A) bid to Asphalt Paving Systems, Inc. for the amount of \$37,911.88. Mr. Doering seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to award the 2005 road project (Part B) to Dan Malloy Paving, Inc. for the amount of \$35,908.00. Mr. Rinehart seconded the motion. The motion carried unanimously.

Township Building Expansion

Mr. Leinbach moved to approve township building expansions payments; Lenni Electric Corporation for \$11,926.80, G&S Taylor for \$21,240.00 and Fayette Group, Inc. for \$63,945.00. Mr. Doering seconded the motion. The motion carried unanimously.

6. DISCUSSION ITEMS

Township Building Furniture

Township building furniture presentation has been tabled to the May 16, 2005 workshop meeting.

Alternate Solicitor

There was a discussion regarding the Township Solicitor letter dated April 7, 2005 regarding the Vermeersch violation. The Township Solicitor noted an affidavit should be obtained from the individual claiming alterations to the sign cited. Alternate counsel for this case may need to be discussed further if arbitration is necessary.

Zoning Ordinance

It was noted the draft zoning ordinance will be on the website, copies will be distributed and a copy will be available at the township office for public view. Mr. Leinbach noted the zoning map has changed considerably. Mr. Leinbach noted that almost everything south of Pigeon Creek is proposed FR District and all HI was eliminated. The zoning ordinance timeline is to be posted.

Notification of Development

The notification of development ordinance will be adopted at the May 16, 2005 workshop meeting.

Parkerford Beautification

There was a discussion regarding the Parkerford beautification project in accordance with the Parks & Recreation letter dated April 8, 2005. Mr. Leinbach moved that Tailored Turf submit a proposal to Parks and Recreation for services and Parks and Recreation to submit ideas in writing. Mr. Roland seconded the motion. The motion carried unanimously.

7. PAYMENT OF BILLS

Mr. Leinbach moved to approve payment of bills presented. Mr. Doering seconded the motion. The motion carried unanimously.

8. ADDITIONAL ITEMS BROUGHT TO THE BOARD

Mr. Leinbach noted a letter from a resident regarding development and school taxes and Mr. Leinbach suggested the resident be invited to attend a zoning meeting and be notified the township cannot control the school district.

Mr. Leinbach requested a letter be sent to the Schuylkill River Greenway Association regarding the \$10,000 grant that was not utilized and notify them that the township is in negotiations with PECO for a permanent lease of Fricks Locks. Mr. Leinbach asked the Township Solicitor about the status of the PECO lease and the Township Solicitor responded he is waiting for response from Nate Sanborn. Mr. Leinbach noted Pigeon Creek stream clean up is scheduled for May 21, 2005.

Mr. Preston noted the township was turned down for a Chester County Challenge Grant. Mr. Leinbach suggested a letter be sent to the County Commissioners and Mr. Leinbach will call Mr. Andrew Dinniman regarding this issue.

Mr. Preston noted the Chester County EMS mutual aid agreement. The Township Solicitor is to review the document.

Mr. Rinehart had concerns of sign damage to the signs that will be required by the notification of development ordinance.

Mr. Doering noted the recent bicycle accident and Mr. Doering questioned the Board of Supervisors' responsibility towards public safety. Traffic controls are reviewed and addressed by the Board of Supervisors as necessary.

Mr. Rinehart moved to approve fire police requests for Bike Rodeo on May 7, Garden Tour on May 22, 5K-Run on May 7 and Auction on May 11. Mr. Leinbach seconded the motion. The motion carried unanimously.

Mr. Leinbach moved to approve Resolution No. 2005-07 concerning police department hiring criteria. Mr. Rinehart seconded the motion. The motion carried unanimously.

The Board of Supervisors requested the Township Engineer submit a proposal for an overall stormwater review.

9. ADJOURNMENT

Mr. Leinbach moved to adjourn the monthly meeting at 9:50 p.m. Mr. Roland seconded the motion. The motion carried unanimously. An executive session was held to discuss personnel and potential litigation.

Respectfully submitted,

David K. Leinbach
Township Secretary